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10/072,109	02/08/2002	Koichi Tanaka	SONYJP 3.0-238	2542

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EXAMINER	
BAUM, RONALD	
ART UNIT	PAPER NUMBER
2136	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/072,109	TANAKA ET AL.	
	Examiner	Art Unit	
	Ronald Baum	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 February 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *02092006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-14 are pending for examination.

2. Claims 1-14 are rejected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by DeMello et al, U.S. Patent 6,891,953 B1.

4. As per claim 1; "An information processing apparatus for allowing usage of content by requiring a license for using said content, said information processing apparatus comprising:

a content storage unit operable

to store

license-identification information for

specifying said license for using said content,

encrypted data of said content and

key information required for

decrypting said encrypted data of said content [figures 1-10 and accompanying descriptions, whereas the client/purchaser to fulfillment/content servers architecture enabled to provide the DRM

aspects of the protected content (and associated licensing/cryptographic functions and structures, and the storage thereof; bound to the protected content) distribution and successful transaction services (i.e., authenticated distribution and associated decryption of protected content, referenced upon request via URL linkage), clearly encompasses the claim limitations, as broadly interpreted by the examiner.];

a license storage unit operable

to store said license for using said content, including

content-specifying information for specifying said content,

the use of which is allowed by said license [figures 1-10 and accompanying descriptions, whereas the client/purchaser to fulfillment/content servers architecture enabled to provide the DRM aspects of the protected content (and associated licensing/cryptographic functions and structures and the storage thereof), clearly encompasses the claim limitations, as broadly interpreted by the examiner.];

a judgment unit operable

to determine whether said license for using said content has been

stored in said license storage unit [figures 1-10 and accompanying descriptions, whereas the client/purchaser to fulfillment/content servers architecture enabled to provide the DRM aspects of the protected content (and associated licensing/verification/authentication/cryptographic functions and

structures and the storage thereof), clearly encompasses the claim limitations, as broadly interpreted by the examiner.]; and

a decryption unit operable

to decrypt said encrypted data of said content if

said license for using said content has been stored in

said license storage unit [figures 1-10 and accompanying descriptions, whereas the client/purchaser to fulfillment/content servers architecture enabled to provide the DRM aspects of the protected content (and associated cryptographic functions/distribution and decryption of protected content and structures and the storage thereof), clearly encompasses the claim limitations, as broadly interpreted by the examiner.].".

As per claim 9, this claim is the method claim for the apparatus claim 1 above, and is rejected for the same reasons provided for the claim 1 rejection; "An information processing method for allowing a user to use content by requiring the user to have a license for using the content, the information processing method comprising:

storing license-identification information for specifying the license for using the content, encrypted data of the content and key information required for decrypting the encrypted data of the content;

storing the license for using the content in a license storage unit, the license including content-specifying information for specifying the content, the use of which is allowed by the license;

determining whether the license for using the content has been stored in the license storage unit; and

decrypting the encrypted data of the content if the license for using the content has been stored in the license storage unit.".

As per claim 10, this claim is the embodied software method claim for the apparatus claim 1 above, and is rejected for the same reasons provided for the claim 1 rejection; "A recording medium recorded with a program to be executed by a computer for carrying out processing to allow a user to use content by requiring the user to have a license for using the content, the program comprising:

storing license-identification information for specifying the license for using the content, encrypted data of the content and key information required for decrypting the encrypted data of the content;

storing the license for using the content in a license storage unit, the license including content-specifying information for specifying the content, the use of which is allowed by the license;

determining whether the license for using the content has been stored in the license storage unit; and

decrypting the encrypted data of the content if the license for using the content has been stored in the license storage unit.".

5. Claim 2 ***additionally recites*** the limitation that; "An information processing apparatus according to claim 1, further comprising:

a transmitter operable

to transmit a request for said license to a license server,

said license request including

said license-identification information; and

a receiver operable

to receive said license transmitted by the license server, wherein

said received license is stored in

said license storage unit.".

The teachings of DeMello et al are directed towards such limitations (i.e., figures 1-10 and accompanying descriptions, whereas the client/purchaser to fulfillment/content servers architecture enabled to provide the DRM aspects of the protected content (and associated licensing/cryptographic functions and structures, and the storage thereof; bound to the protected content) distribution and successful transaction services (i.e., authenticated distribution and associated decryption of protected content, referenced upon request via URL linkage, enabled by the request to the fulfillment server verification aspects), clearly encompasses the claim limitations, as broadly interpreted by the examiner.).

6. Claim 3 ***additionally recites*** the limitation that; "An information processing apparatus according to claim 1, further comprising:

a reproducing unit operable

to reproduce said data of said content decrypted by said decryption unit, wherein

said data of said content is

text data,

image data,

audio data,

moving-picture data or

combinations thereof.".

The teachings of DeMello et al are directed towards such limitations (i.e., figures 1-10 and accompanying descriptions, whereas the client/purchaser to fulfillment/content servers architecture enabled to provide the DRM aspects of the protected content (and associated cryptographic functions/distribution and decryption of protected content (and subsequent rendering/reproduction of multimedia, text, audio, etc., of said content)), clearly encompasses the claim limitations, as broadly interpreted by the examiner.).

7. Claim 4 ***additionally recites*** the limitation that; "An information processing apparatus according to claim 1, further comprising:

a device-node-key storage unit operable

to store a device node key,

wherein said key information includes

an EKB (Enabling Key Block); and

said decryption unit is operable

to decrypt said EKB (Enabling Key Block) using said device node key

to obtain a root key, and

to decrypt said data of said content using said root key.".

The teachings of DeMello et al are directed towards such limitations (i.e., figures 1-10 and accompanying descriptions with figures 1,9 more particularly, whereas the client/purchaser to fulfillment/content servers architecture enabled to provide the DRM aspects of the protected content (and associated licensing/cryptographic functions and structures such as license/content keys (i.e., Enabling Key Block inclusive of a root key)/key encrypted key (i.e., device-node-key), and the storage/associated database storage thereof; bound to the protected content) distribution and successful transaction services, clearly encompasses the claim limitations, as broadly interpreted by the examiner.).

8. Claim 5 ***additionally recites*** the limitation that; "An information processing apparatus according to claim 4, wherein:

said key information further includes

a content key encrypted using

said root key;

said data of said content is

encrypted using

said content key; and

said decryption unit is operable

to decrypt said encrypted data of said content using

said root key.".

The teachings of DeMello et al are directed towards such limitations (i.e., figures 1-10 and accompanying descriptions with figures 1,9 more particularly, whereas the client/purchaser to fulfillment/content servers architecture enabled to provide the DRM aspects of the protected content (and associated licensing/cryptographic functions and structures such as license/content keys (i.e., Enabling Key Block inclusive of a root key)/key encrypted key (i.e., device-node-key), and the storage/associated database storage thereof; bound to the protected content) distribution and successful transaction services, clearly encompasses the claim limitations, as broadly interpreted by the examiner.).

9. Claim 6 ***additionally recites*** the limitation that; "An information processing apparatus according to claim 1, wherein said license further includes

usage-condition information showing a condition for using said content,

the use of which is allowed by said license.".

The teachings of DeMello et al are directed towards such limitations (i.e., figures 1-10 and accompanying descriptions, whereas the client/purchaser to fulfillment/content servers architecture enabled to provide the DRM aspects of the protected content (and associated licensing/cryptographic functions and structures; bound to the protected content) distribution and successful transaction services (i.e., authentication of client/user/purchaser and associated access

control/multiple levels of protection/certificate verification aspects), clearly encompasses the claim limitations, as broadly interpreted by the examiner.).

10. Claim 7 ***additionally recites*** the limitation that; "An information processing apparatus according to claim 1, wherein said license further includes

an electronic signature signed by using

a secret key of a license server.".

The teachings of DeMello et al are directed towards such limitations (i.e., figures 1-10 and accompanying descriptions, whereas the client/purchaser to fulfillment/content servers architecture enabled to provide the DRM aspects of the protected content (and associated licensing/cryptographic functions (i.e., such as license/content keys (i.e., Enabling Key Block inclusive of a root key)/key encrypted key (i.e., device-node-key)), and structures (i.e., signed content/certificates via public key cryptographic data/XML structures); bound to the protected content) distribution and successful transaction services (i.e., authentication of client/user/purchaser and associated access control/multiple levels of protection/certificate verification aspects), clearly encompasses the claim limitations, as broadly interpreted by the examiner.).

11. Claim 8 ***additionally recites*** the limitation that; "An information processing apparatus according to claim 2, further comprising:

a terminal-ID storage unit operable

to store terminal-identification information identifying

said information processing apparatus,

wherein said license request further includes

said terminal-identification information;

said received license includes

a terminal ID; and

said judgment unit

compares

said terminal ID in said received license with

said terminal-identification information stored in

said terminal-ID storage unit and

determines that

said received license is said license for using said content only if

said terminal ID in said received license matches

said terminal-identification information stored in

said terminal-ID storage unit.".

The teachings of DeMello et al are directed towards such limitations (i.e., figures 1-10 and accompanying descriptions, whereas the client/purchaser to fulfillment/content servers architecture enabled to provide the DRM aspects of the protected content (and associated licensing/cryptographic functions and structures; bound to the protected content) distribution and successful transaction services (i.e., authentication of client/user/purchaser and associated access control/multiple levels of protection/certificate verification aspects, inclusive of network location/referencing information (i.e., URL references (terminal-identification information) to

client/server nodes); and the storage thereof), clearly encompasses the claim limitations, as broadly interpreted by the examiner.).

12. Claim 11 ***additionally recites*** the limitation that; "A program according to claim 10, wherein

the program or a portion of the program is encrypted.".

The teachings of DeMello et al are directed towards such limitations (i.e., figures 1-10 and accompanying descriptions with figure 5 more particularly, whereas the client/purchaser to fulfillment/content servers architecture enabled to provide the DRM aspects of the protected content (and associated licensing/cryptographic functions (i.e., signed content/certificates via public key cryptographic data/XML structures and methods/DLL/API cryptographic functions), clearly encompasses the claim limitations, as broadly interpreted by the examiner.).

13. As per claim 12, this claim is the server side apparatus claim for the client side apparatus claims 1,2,8 above, and is rejected for the same reasons provided for the claims 1,2,8 rejection; "A license server for issuing a license for allowing the use of content, said license server comprising:

a license storage unit operable

to store said license, said license including

content-specifying information for specifying said content,

the use of which is allowed by said license, and

terminal-identification information for

identifying an information processing apparatus;

a receiver operable

to receive a request for said license from said information processing apparatus,

said license request including

license-identification information for identifying said license;

an extraction unit operable

to extract said license identified by said license-identification information from

said license storage unit;

a processor operable

to add said terminal-identification information

to said extracted license;

a signature unit operable

to put a signature on said extracted license including

said terminal-identification information using

a secret key of said license server; and

a transmitter operable

to transmit

said extracted license with

said signature thereon

to said information processing apparatus.".

As per claim 13, this claim is the method claim for the apparatus claim 11 above, and is rejected for the same reasons provided for the claim 11 rejection; "A method for issuing a license for allowing the use of content, the method comprising:

storing the license in a license storage unit, the license including content-specifying information for specifying the content, the use of which is allowed by the license, and terminal-identification information for identifying an information processing apparatus;

receiving a request for the license from the information processing apparatus, the license request including license-identification information for identifying the license;

extracting the license stored in the license storage unit and identified by the license-identification information;

adding the terminal-identification information to the extracted license;

putting a signature on the extracted license including the terminal-identification information using a secret key; and

transmitting the extracted license with the signature thereon to the information processing apparatus.".

As per claim 14, this claim is the embodied software method claim for the apparatus claim 11 above, and is rejected for the same reasons provided for the claim 11 rejection; "A recoding medium recorded with a program to be executed by a computer for carrying out processing to issue a license for allowing the use of content, the program comprising:

storing the license in a license storage unit, the license including content-specifying information for specifying the content, the use of which is allowed by the license, and terminal-identification information for identifying an information processing apparatus;

receiving a request for the license from the information processing apparatus, the license request including license-identification information for identifying the license;

extracting the license stored in the license storage unit and identified by the license-identification information;

adding the terminal-identification information to the extracted license;

putting a signature on the extracted license including the terminal-identification information using a secret key of a license server; and

transmitting the extracted license with the signature thereon to the information processing apparatus.".

Conclusion

14. Any inquiry concerning this communication or earlier communications from examiner should be directed to Ronald Baum, whose telephone number is (571) 272-3861, and whose unofficial Fax number is (571) 273-3861. The examiner can normally be reached Monday through Thursday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh, can be reached at (571) 272-3795. The Fax number for the organization where this application is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. For more information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ronald Baum

Patent Examiner

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